

PATENT  
Attorney Docket No. 9360-0268

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re application of:  
Lynn et al.

Serial No.: 10/761,850

Filed: January 21, 2004

For: BLOOD COLLECTION SYSTEMS  
INCLUDING A FLEXIBLE FILTER

Art Unit: 1723

Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

## INFORMATION DISCLOSURE STATEMENT

Dear Sir:

Pursuant to 37 C.F.R. § 1.97, the Examiner's attention is directed to the documents listed on the attached forms, which documents may be material to the examination of this application.

No inference should be drawn that any disclosure is equivalent to the subject invention. Also, the citation of the above-discussed documents is not to be construed as an assertion that more pertinent art could not possibly be in existence.

Citation of any document herein is not to be construed as an admission that any subject matter disclosed in the document is necessarily within the inventive field of endeavor, that any disclosure is necessarily prior in time to a particular date which may be relevant to the instant patent application, and/or that any disclosure is otherwise necessarily prior art with respect to the instant invention.

The right is also reserved to later set forth how the instant invention is distinguished over the disclosure of any document or other art, including the disclosure of those documents discussed herein, that may be cited by the Examiner in rejecting a claim in the present patent application.

- ☒ 1. This information disclosure statement is being filed within the following time period(s) set forth in 37 CFR § 1.97(b), and therefore no fee is believed to be due:
- ☐ Within three months of the filing date of a national application other than a continued prosecution application under § 1.53(d);
  - ☐ Within three months of the date of entry of the national stage as set forth in § 1.491 in an international application;
  - ☐ Before the mailing of first Office action on the merits; or
  - ☒ Before the mailing of first Office action after the filing of a request for continued examination under § 1.114.
- ☐ 2. As set forth in 37 CFR § 1.97(c), this information disclosure statement is being filed after the time period set forth in 37 CFR § 1.97(b) (see above) but

before the mailing date of any of a final action under 37 CFR § 1.113, a notice of allowance under 37 CFR § 1.311 or an action that otherwise closes prosecution in the application. [Select either one of the statements OR the fee below, as appropriate]

☐ It is hereby stated and certified with respect to this information disclosure statement:

☐ That each item of information contained in the information disclosure statement was first cited in any communication from a foreign patent office in a counterpart foreign application not more than three months prior to the filing of the information disclosure statement; or

☐ That no item of information contained in the information disclosure statement was cited in a communication from a foreign patent office in a counterpart foreign application, and, to the knowledge of the person signing the certification after making reasonable inquiry, no item of information contained in the information disclosure statement was known to any individual designated in § 1.56(c) more than three months prior to the filing of the information disclosure statement.

☐ Enclosed is the fee set forth in 37 CFR § 1.17(p) or in the event no fee is enclosed, this is a request and authorization to charge the appropriate fee to Deposit Account No. 50-1039.

☐ 3. As set forth in 37 CFR § 1.97(d) this information disclosure statement is being filed after the period specified in 37 CFR § 1.97(c) (see above) and on or before payment of the issue fee. It is hereby stated and certified with respect to this information disclosure statement:

☐ That each item of information contained in the information disclosure statement was first cited in any communication from a foreign patent office in a counterpart foreign application not more than three

months prior to the filing of the  
information disclosure statement; or

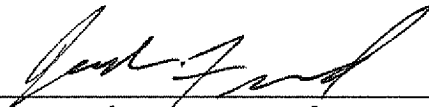
- ☐ That no item of information contained in the  
information disclosure statement was cited  
in a communication from a foreign patent  
office in a counterpart foreign application,  
and, to the knowledge of the person signing  
the certification after making reasonable  
inquiry, no item of information contained in  
the information disclosure statement was  
known to any individual designated in  
§ 1.56(c) more than three months prior to  
the filing of the information disclosure  
statement.

Also enclosed is the fee set forth in 37 CFR  
§ 1.17(p) or in the event no fee is enclosed, this  
is a request and authorization to charge the  
appropriate fee to Deposit Account No. 50-1039.

In summary, it is respectfully requested that this  
Information Disclosure Statement be considered and made of  
record, and that any fee required for consideration, if not  
authorized above, be charged to deposit account no. 50-1039.

Respectfully submitted,

Date: November 28, 2007

by:   
\_\_\_\_\_  
Joseph R. Freund  
Registration No. 55,191  
COOK, ALEX, MCFARRON, MANZO,  
CUMMINGS & MEHLER, LTD.  
200 West Adams Street - #2850  
Chicago, IL 60606  
Phone: (312) 236-8500  
Fax: (312) 236-8176